DRAWING AMENDMENTS

Applicant notes herein changes to the drawings as originally submitted in the application for patent and previously submitted by preliminary amendment. More specifically, Figures 1 and 5 have been re-identified or switched in terms of their numeric identification. No new matter has been introduced since the same or similar figures appear in the original disclosure for patent.

Figure 1, as presently amended, is now shown with a folding frame structure with a pair of trays fitted therewithin.

Figure 5, as presently amended, is now shown with foot apparel situated atop a tray and grate combination.

Figure 7, as presently amended, is now shown with numeric reference to a free end (114), as it was inadvertently omitted in the original figure but identified in the original written specification.

Figures 10-14 have been deleted from the original submission for patent as a result of each reflecting or disclosing a non-elected species or withdrawn subject matter.

A copy of each drawing as originally filed with the application or previously submitted by amendment is marked up to show proposed changes made thereto, each of which being identified as "Annotated Sheet Showing Changes" per provision of 37 CFR §1.121(d) [proposed changes appear in red ink]. In addition, Applicant is re-submitting herewith substitute drawings which incorporate the proposed changes per provisions of 37 CFR §1.84 with each being identified as "Replacement Sheet."

RESPONSE AND REMARKS

Applicant thanks the Examiner for the care and time taken in considering the above-referenced patent application and claims and making an immediate review and response to Applicant's election of species on the merits. Acknowledgement is made with regard to the withdrawn subject matter for the non-elected species. Accordingly, Applicant has duly noted herein changes to the claims and specification to read consistently with the elected species. No new matter is added by the claim amendments since the present invention comprising a tray interiorly fitted a grate and collectively arranged within and cooperating with a folding frame structure is provided and described in the original application for patent.

The Examiner has objected to a portion of the specification because of a recognizable informality with the term "construction." Applicant has appropriately corrected the term by substituting the same with the term "constructed." Reconsideration of the specification as amended is respectfully requested.

The Examiner has objected to a portion of the claims because of incorrect recitation of the subject matter in the claimed invention. Applicant has appropriately corrected the claims by deleting the term "for" in claim 1, line 8, and deleting the phrase "to engage" and replacing the same with the term "engaging" in claim 11, line 8. Reconsideration of the two claims as amended is respectfully requested.

The Examiner has rejected claims 1-4 under 35 U.S.C. §102(b) as being anticipated by U.S. Pat. No. 4,862,795 to Hawkins. Applicant respectfully traverses this rejection.

In response, Applicant has amended claim 1 whereupon claims 2-4 depend to better define the preferred embodiment of the invention over the cited art reference. In particular, Applicant has incorporated into claim 1, in accord with the Examiner's provision for allowable subject matter, the subject matter of claim 21, which provides for a folding frame structure comprising in part at least one tray support assembly situated in

between and connected to left and right legs. Comparatively, Hawkins limits its teaching to a grill member and drip pan assembly. Since Hawkins fails to disclose or teach each and every element as arranged in the claimed invention, as particularly set forth in amended claim 1, Applicant believes that Hawkins no longer anticipates the claimed invention. Accordingly, reconsideration of claim 1 as amended and claims depending (i.e., claims 2-4) therefrom is respectfully requested.

The Examiner has rejected claims 7 and 22 under 35 U.S.C. §103(a) as being obvious in light of U.S. Pat. No. 4,488,535 to Johnson in view of U.S. Pat. No. 2,006,385 to Dikeman. Applicant respectfully traverses this rejection.

In response, Applicant has amended claim 7 whereupon claim 22 depends to better define the preferred embodiment of the invention over the cited art references. In particular, Applicant has incorporated into claim 7, in accord with the Examiner's provision for allowable subject matter, the subject matter of claims 8 and 11. Claim 8 provides in part further definition of the tray support assembly, namely forward and aft horizontal supports connected to left and right legs. Claim 11 provides in part a pair of angular braces for locking the position of the horizontal supports in claim 8 to the left and right legs. Comparatively, Johnson limits its teaching to a grate and pan assembly collectively mounted in between a pair of legs, while Dikeman serves to teach an adjustable broiler assembly comprising means for supporting a tray below a broiling grate. Since Johnson and Dikeman collectively fail to teach one skilled in the art the combined subject matter of claims 8 and 11 together with the subject matter of claim 7, Applicant believes that the claimed invention represented by claim 7 as amended can no longer be rendered obvious. Accordingly, reconsideration of claim 7 as amended and claim 22 depending therefrom is respectfully requested.

The Examiner has rejected claims 8-10 and 13-15 under 35 U.S.C. §103(a) as being obvious in light of U.S. Pat. No. 4,488,535 to Johnson in view of U.S. Pat. No. 2,006,385 to Dikeman and in further view of U.S. Pat. No. 4,953,473 to Tomaka. Applicant respectfully traverses this rejection.

In response, Applicant has amended claim 7 whereupon claims 8-10 and 13-15

depend to better define the preferred embodiment of the invention over the cited art references. In particular, as reiterated from above, Applicant has incorporated into claim 7, in accord with the Examiner's provision for allowable subject matter, the subject matter of claims 8 and 11. In addition to the above-noted teachings of Johnson and Dikeman, Tomaka teaches means for connecting together a grate and legs, notably an arrangement of a pin inserted into an aperture. As stated above, since Johnson and Dikeman collectively fail to teach one skilled in the art the combined subject matter of claims 8 and 11 together with the subject matter of claim 7, Applicant believes that the claimed invention set forth in claim 7 as amended can no longer be rendered obvious. Furthermore, since claims 8-10 and 13-15 depend from claim 7 as amended, Applicant equally believes that the subjected matter set forth in these claims can no longer be rendered obvious, notwithstanding the limited teachings of Tomaka. Accordingly, reconsideration of dependent claims 8-10 and 13-15 is respectfully requested, particularly in light of claim 7 as amended.

The Examiner has noted in the Office Action allowable subject matter which pertains to the elected species of the invention previously made in response to a restriction requirement.

Applicant duly notes amendment of the claims, particularly independent claims 1 and 7. In summary, claim 1 has been amended to include the subject matter set forth in claim 21, resulting in the cancellation of claim 21. Claims (i.e., 2-4) depending from claim 1 remain unchanged from the original submission for patent. Claim 7 has been amended to include the combined subject matter set forth in claims 8 and 11, resulting in the cancellation of claims 8 and 11. Claims 9 and 12 have been amended to correct their dependence from claim 7. Claims 10 and 13-15 remain unchanged from the original submission for patent. Claim 22 has been amended to reflect further definition of the grate structure as was done in claim 1.

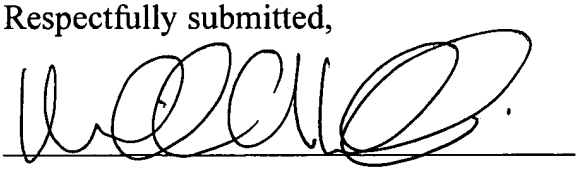
CONCLUSION

In accord with the Examiner's provision for allowable subject matter, Applicant amended claims 1 and 7 and claims notably depending therefrom to better define and distinguish the claimed invention over the cited art references of record. The specification as well as the figures was amended to read consistently and in accord with the elected species made in response to a restriction requirement. Favorable reconsideration of this application, as amended, is respectfully requested.

Applicant makes note and reminds the Examiner that if the foregoing response is inadequate in any respect insofar that it unduly limits the Examiner's ability to further consider the application for patent on the merits, Applicant respectfully requests the Examiner, prior to further examination of the pending application, to telephone Applicant's attorney of record to allow ample time to make further changes if deemed necessary.

Dated this 28th day of July 2006.

Respectfully submitted,



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Telephone: (763) 585-0283

Enclosures:
1) Annotated Drawing Sheets (3)
2) Replaced Drawing Sheets (3)
3) Petition for Extension of Time
4) Check in the amount of $225.00
5) Return Receipt Postcard

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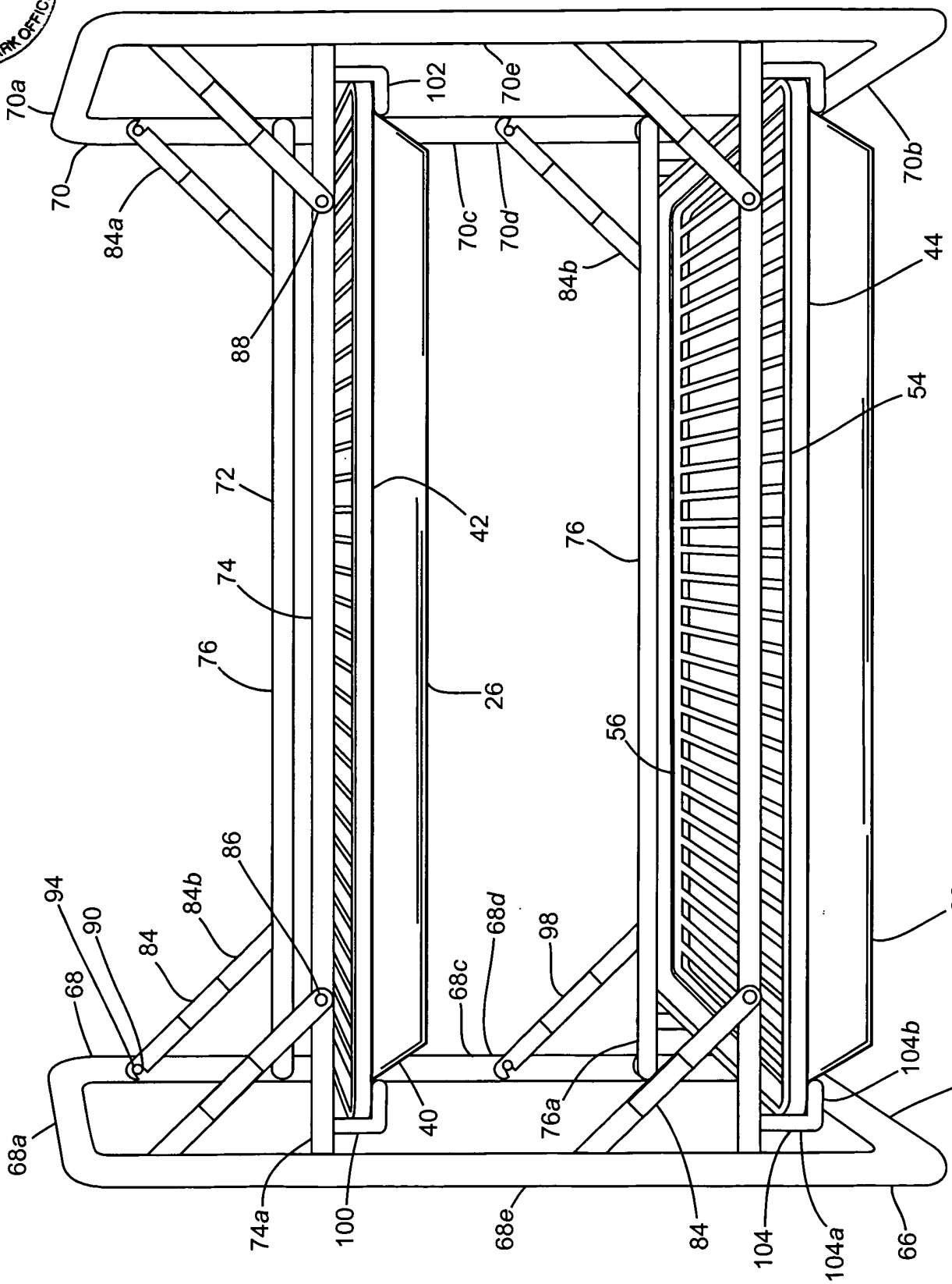


FIG. 1

10

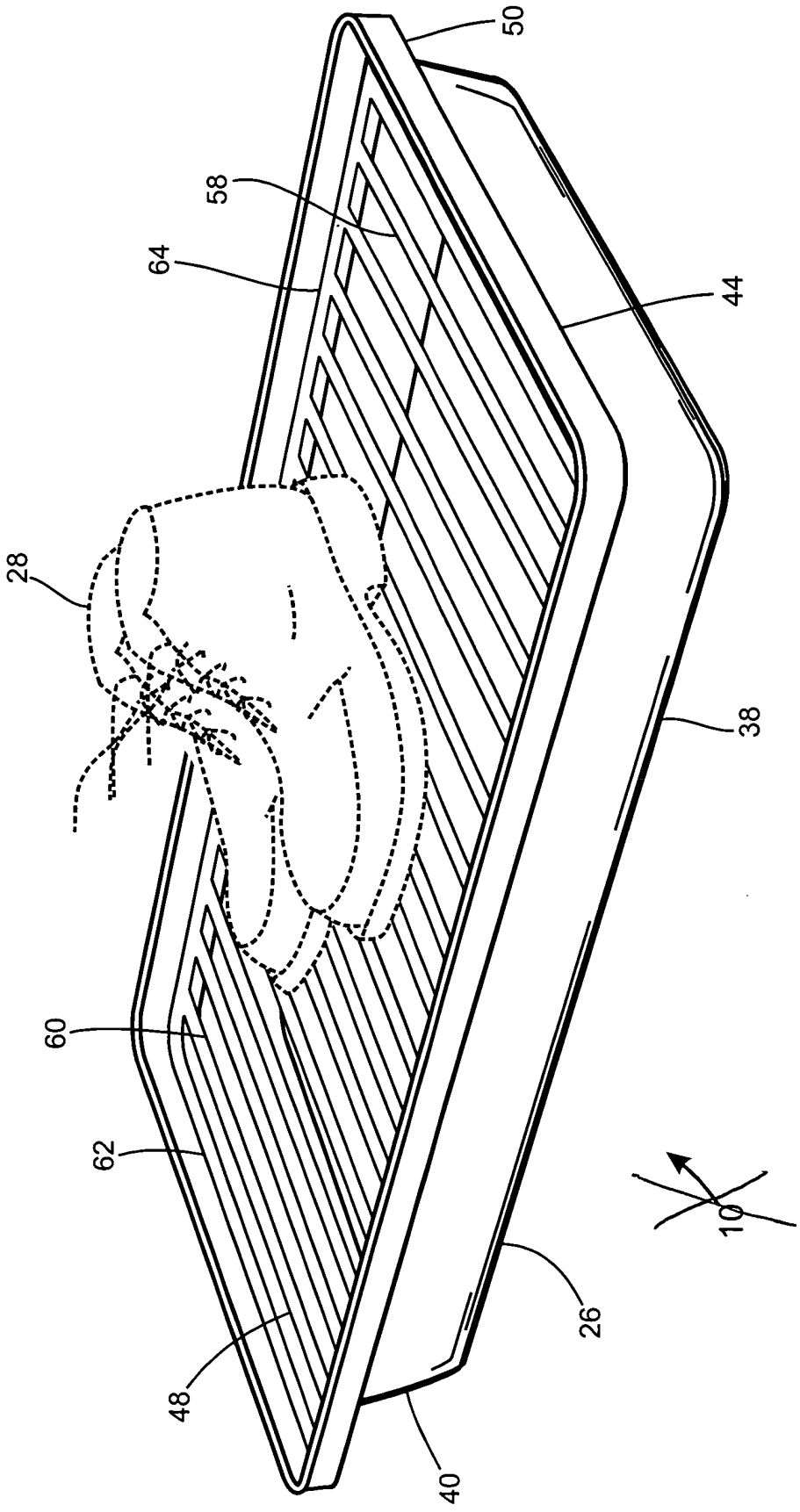


FIG. 5

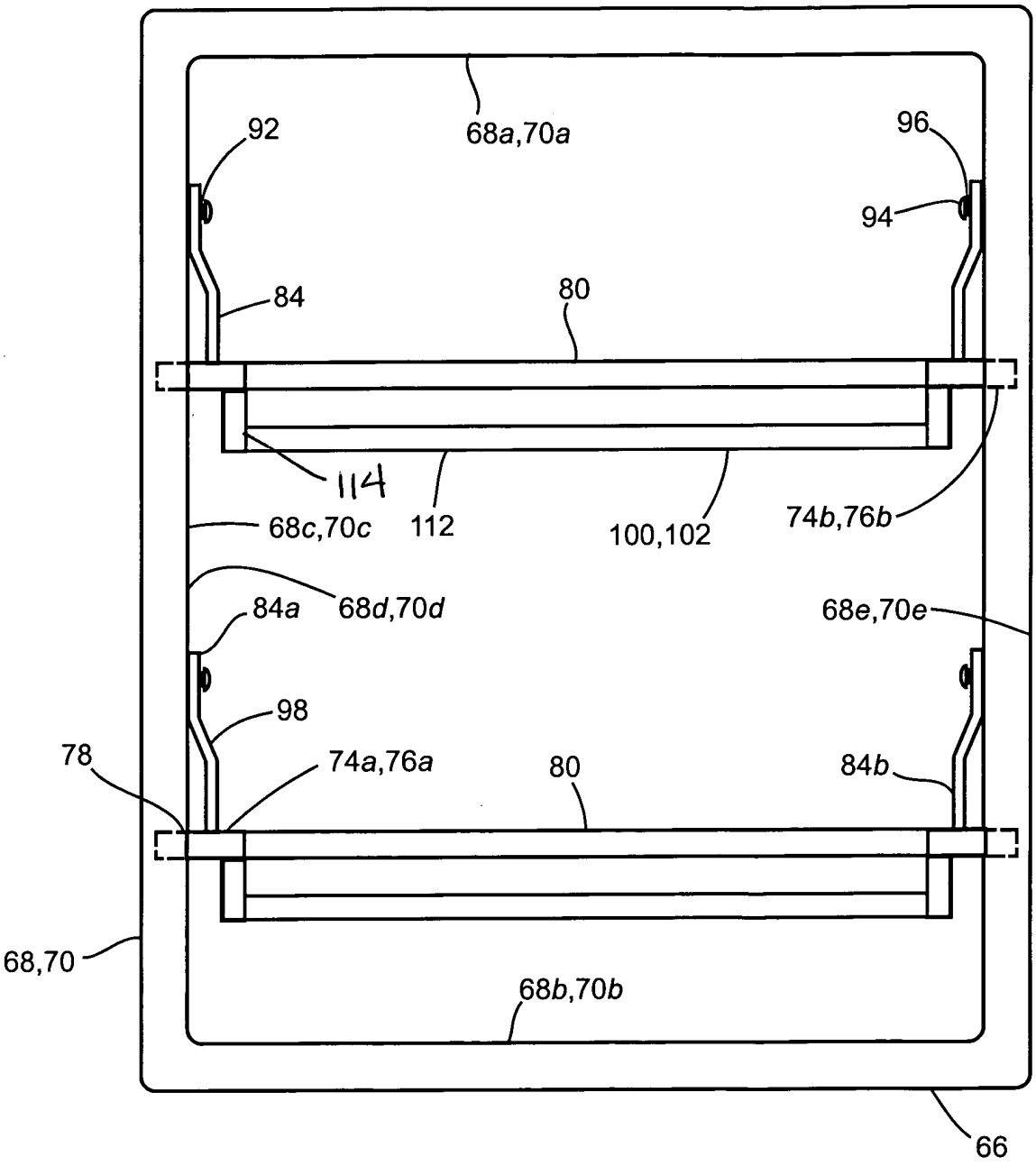

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68b,70b
66

FIG. 7